

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

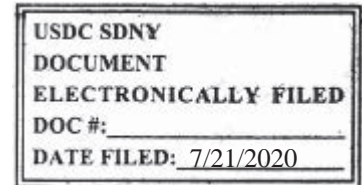
David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

July 8, 2020

BY FAX & HAND DELIVERY

The Honorable Alison J. Nathan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: *United States v. Justin Arias*, No. 15 Cr. 773 (AJN)

Dear Judge Nathan:

SO ORDERED.

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

7/21/2020

Justin Arias respectfully requests termination of his supervised release, pursuant to 18 U.S.C. 3583(e)(1). His application has the full support of his Probation Officer, Noah Joseph.

On January 4, 2016, Mr. Arias entered a guilty plea to one count of being a felon in possession of a firearm, in violation of Title 18, U.S.C. sec. 922(g). On June 21, 2016, Your Honor sentenced him to 36 months of imprisonment and 3 years of supervised release. Mr. Arias was released from custody on June 21, 2018. He has approximately 11 months remaining on his term of supervised release.

The Court has the discretion to end Mr. Arias's supervision,¹ and the interests of justice favor such a result. With the assistance of the Probation Office and the Federal Defender, Mr. Arias has ratified the hope the Court expressed for his rehabilitation when it sentenced him. His behavior--both while incarcerated and on supervised release--has been praiseworthy. Having successfully reintegrated into society, termination of supervised release is warranted.

DISCUSSION

A. Mr. Arias's Exemplary Performance While Incarcerated and on Supervision Favors Termination.

Mr. Arias spent most of his time in prison in Pennsylvania at the Canaan United States Penitentiary. Other than a few minor infractions, his behavior was excellent. Most impressively, Mr. Arias earned his G.E.D. during his years in prison. With credit for good time, he was released from custody on June 21, 2018.

¹ See 18 U.S.C. §3583(e)(1); *United States v. Lussier*, 104 F.3d 32, 36 (2d Cir. 1997)

The Honorable Alison J. Nathan
United States District Judge
Southern District of New York

July 8, 2020
Page 2

Since his release, Mr. Arias has fully satisfied the Court's expectations when it sentenced him.

After he got out of prison, Mr. Arias resumed his residence with his mother and sister at their Bronx apartment. Mr. Arias immediately enrolled in mental health counselling and did so well that, after a period of time, the mental health program told the Probation Officer that he no longer required their services. Mr. Arias has also continued to receive appropriate pain management for the injury to his leg.

In addition, Mr. Arias has been leading a responsible and productive life. Shortly after he was released, he secured seasonal employment with UPS. For the last year, he has been a full-time employee at Bronx Lebonaon Hospital, working in the maintenance department. He works 40 hours a week on a five-day schedule

Mr. Arias has also complied with all the other terms of his supervision. His excellent performance has resulted in his Probation Officer, Noah Joseph, recommending that Mr. Arias seek early termination of his supervised release.

CONCLUSION

After fully complying with all the conditions of his supervised release for the last two years, supervised release is no longer necessary to meet any of the goals set forth in 18 U.S.C. §§3582(1) or 3553(a). The interest of justice is best served by granting Mr. Arias early release of supervision for his exemplary conduct.

We thank the Court for its consideration of this letter motion.

Respectfully Submitted,

/s/

Mark B. Gombiner
Assistant Federal Defender
(212) 417-8718

cc: AUSA Andrew Chow (by ECF)
USPO Noah Jose